THE HON'BLE SRI JUSTICE RAMESH

RANGANATHAN

WRIT PETITION No.2614 of 2006

Dated 03-04-2006

Between:

A. Vighneswara Sarma.

.. Petitioner

And

The District Panchayat Officer,
Kakinada, and another.

.. Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.2614 of 2006

ORDER:

The petitioner seeks a declaration that he is a government servant in service from the date of his initial appointment i.e., 01-04-1974 and that he be reinstated into service with full backwages. The Government, vide G.O.Rt.No.625 dated 11-04-2005, rejected the petitioner's request for being provided employment as a Clerk-cum-Bill Collector. The Andhra Pradesh Administrative Tribunal, by order in C.A.No.891 of 2004 in O.A.No.5944 of 1999 dated 25-04-2005, closed the C.A. holding that the earlier order passed in O.A.No.5944 of 1999 dated 31-12-2003 had been complied with and if the applicant (petitioner herein) was aggrieved by the order passed in G.O.Rt.No.625 dated 11-04-2005, he was at liberty to seek such remedy as was available to him in law.

The petitioner ought to have approached the Andhra Pradesh Administrative Tribunal in the first instance

challenging the order in G.O.Rt.No.625 dated 11-04-2005. In view of the law laid down by the Apex Court in *L. Chandra Kumar v. Union of India*[1], the petitioner ought not to have invoked the jurisdiction of this Court under Article 226 of the Constitution of India without having first approached the Andhra Pradesh Administrative Tribunal.

The writ petition is accordingly dismissed. No costs.

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RAMESH RANGANATHAN, J

Dated 03-04-2006
ghn

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[1] A.I.R. 1997 SC 1125